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Name (Print) A. DiLullo
Signature A. DiLullo

05-24-01

GAM-1742

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT
File No: 2136/0G684

In re Application of:

Jose GUIXA ARDERIU; Miguel GARCIA ZAMORA; Ferran
ESPIELL ALVAREZ; Miguel FERNANDEZ LOPEZ;
Araceli ESPARDUCER BROCO; Merce SEGARRA-RUBIK;
Josep Ma CHIMENOS RIBERA

Serial No: 09/499,207

Filed: February 7, 2000

Group Art Unit: 1742

Examiner: To Be Assigned

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DECLARATION OF GABRIELLA KARASZI

May 22, 2001

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

Gabriella Karaszi declares and says:

1. I am the Manager of the Docketing Department at Darby & Darby, P.C.

2. I make this declaration in support of the accompanying REQUEST TO WITHDRAW HOLDING OF NOTICE OF ABANDONMENT, which seeks the withdrawal of the NOTICE OF ABANDONMENT issued on May 7, 2001, in the above-referenced application.

3. When an Office Action is received from the U.S. Patent and Trademark Office, the following procedures are followed:

a. The Records Department stamps the received date on the back of the Office Action, pulls the file and forwards it to Docketing;

b. The period for response is determined (e.g., a response is due 3 months from the USPTO Mail Date). Any additional extensions of time that are available is determined (e.g., an additional extension of time of up to 3 additional months for a total of 6 months response time from the USPTO Mail Date is available);

c. The response due date is entered in PATTSY (our computer maintained calendaring system), on the pertinent file cover and in the manual incoming docketing book (IDB).

d. The Office Action is stamped with the "Due Date" stamp. The "Due Date" stamp is filled in with the 3 month date "spelled out" (e.g., September 27, 2000).

e. The code for Action due is entered in PATTSY (i.e. RE = response due). The USPTO Mail Date is entered in PATTSY under the "Base Date". PATSY automatically docketes the due dates up to the 6 month date;

f. The responsible attorney's initials are noted in the upper right hand corner of the Office Action.

g. The Office Action is checked to insure that a Claim for Priority has been acknowledged. If so, the date of the Office Action is entered in the lower right hand corner of the file under "PTO Ack."

h. The 6 month date is entered in the IDB as "SIX MONTHS" on the non-extendable six-month due date (e.g., December 27, 2000). Additionally, the responsible attorney's initials, the client's name, our reference number, and the Serial Number are also entered in the IDB in both entries.

i. The file cover is marked with the USPTO Mail Date, and the 3 month due date (spelled out, e.g., September 27, 2000). Next to this date, in parentheses, the 6 month due date is marked numerically (e.g., 09/27/00).

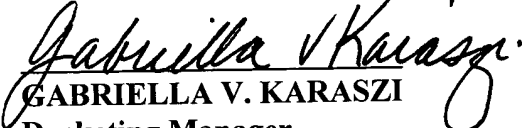
j. If the Office Action has attachments (i.e., references), the file is sent to Services for copying, and then forwarded to the responsible attorney. Otherwise, the file is forwarded directly to the responsible attorney.

4. Based upon my review of the IDB (attached hereto as Exhibit A, which are true copies of Darby & Darby's manual logbook dating from March 29, 2001 to April 12, 2001), our computerized docketing system (PATTSY) (Exhibit B), and our file for Serial No. 09/499,207, the Office Action dated October 5, 2000, for the Serial No. 09/499,207 was never received by Darby & Darby.

5. I hereby declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S.

Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

March 23, 2001


GABRIELLA V. KARASZI
Docketing Manager

Enclosures

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